IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 25283 of 2004

Between:

M/s Apollo Times,

Mulgi Bearing Municipal No. 5-8-523/L-8,
Jagdish Market, Abids,

Hyderabad,

rep. by Syed Abdul Asif Madani,

s/o Syed Abdul Raheem Madani,

age 25 yrs, Occ: Business, R/o 16-9-690/C/2,

Old Malakpet, Hyderabad - 500 036.

..... PETITIONER

AND

1 The State of Andhra Pradesh,

rep. by the Principle Secretary to Government,
Home Department, Secretariat Buildings, Hyderabad.
2 The Commissioner of Police, Hyderabad.
3 The S.H.O. Abids Police Station, Abids, Hyderabad.
4 Nisha Gupta, W/o Anand Gupta,
R/o 21-1-293, Banjara Hills, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or Order or a direction more particularly one in the nature of Writ of Mandamus declaring the action of R1 to R3 in not providing Police Protection to Petitioner, his family members and to conduct business M/s Apollo Times, at Mulgi bearing Municipal No. 5-8-523/L-8, Jagdish Market, Abids, Hyderabad, as arbitrary,

illegal and unconstitutional and violative of Articles 21 and 300-A of the Constitution of India and to direct the Respondents 1 to 3 to give police protection to the Petitioner and his family members to conduct business M/s Apollo Times situated at Mulgi bearing Municipal No. 5-8-523/L-8, Jagadish Market, Abids, Hyderabad.

Counsel for the Petitioner: SUHASINI KODATI

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

ORDER:

The grievance of the petitioner is that it is facing threat from respondent No.4 and it approached respondents 2 and 3 seeking protection. It is alleged that no action has been taken by respondents 2 and 3 and appropriate directions are sought.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

Even if what is stated by the petitioner is taken as true, it constitutes a case of an interference with the rights of the petitioner by the 4th respondent. If the petitioner apprehends any such threat from the 4th respondent, it has to approach the competent civil Court and obtain necessary relief. The police are not expected to give protection to the citizens, particularly when there exist serious disputes of civil nature.

Hence, the writ petition is disposed of, leaving it open to the petitioner to avail the remedy in an appropriate civil Court. There shall be no order as to costs.

19.01.2005

Jsu

To

1 The Principal Secretary to Government,

State of Andhra Pradesh,

Home Department, Secretariat Buildings, Hyderabad.

2 The Commissioner of Police, Hyderabad.

3 The S.H.O. Abids Police Station, Abids, Hyderabad.

4 Nisha Gupta, W/o Anand Gupta,
R/o 21-1-293, Banjara Hills, Hyderabad.

5 2CCs to the G.P for Home, High Court Buildings,

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